

1 IAN P. FELDERMAN (State Bar No. 119725)  
2 WILEY PRICE & RADULOVICH, LLP  
3 1301 Marina Village Parkway, Suite 310  
4 Alameda, California 94501  
5 (510) 337-2810  
6 FAX (510) 337-2811

7 Attorneys for Defendant  
8 PODS, INC.

9 UNITED STATES DISTRICT COURT  
10 NORTHERN DISTRICT OF CALIFORNIA

11 ISAAC TANNER,

12 Plaintiff,

13 v.

14 PODS, INC.,

15 Defendant.

Case No.: 3:07-CV-02392-JL

16 STIPULATION TO CONTINUE CASE  
17 MANAGEMENT CONFERENCE; AND  
18 PROPOSED ORDER THEREON

19 Date: March 26, 2008  
20 Time: 10:30 a.m.  
21 Courtroom: F

22 Hon. James Larson

23 IT IS HEREBY STIPULATED AND AGREED by Plaintiff Isaac Tanner and Defendant  
24 PODS, Inc., through their respective counsel, that the Case Management Conference scheduled  
25 for March 26, 2008 shall be continued to April 30, 2008 at 10:30 a.m. in Courtroom F of the  
26 above-referenced Court. This Stipulation is based on the grounds that: (i) on March 18, 2008,  
27 the Court rescheduled the March 19, 2008 Case Management Conference to March 26, 2008; (ii)

1 Defendant's counsel is not available for a Case Management Conference on March 26, 2008 due  
2 to a calendar conflict; and (iii) both Plaintiff's counsel and Defendant's counsel are available for  
3 a Case Management Conference on April 30, 2008.  
4

5 Date: March 21, 2008

6 By: M Van Smith

M. VAN SMITH  
Attorney for Plaintiff  
ISAAC TANNER

8  
9 Date: March 21, 2008

WILEY PRICE & RADULOVICH, LLP

10 By: Ian P. Fellerman

IAN P. FELLERMAN  
Attorneys for Defendant  
PODS, INC.

11  
12  
13 ORDER

14 For good cause shown, IT IS HEREBY ORDERED that the Case Management  
15 Conference shall be rescheduled from March 26, 2008 to April 30, 2008 at 10:30 a.m. in  
16 Courtroom F.

17 Date: March 24, 2008

18 James Larson  
HON. JAMES LARSON  
UNITED STATES DISTRICT COURT  
CHIEF MAGISTRATE JUDGE  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**PROOF OF SERVICE**

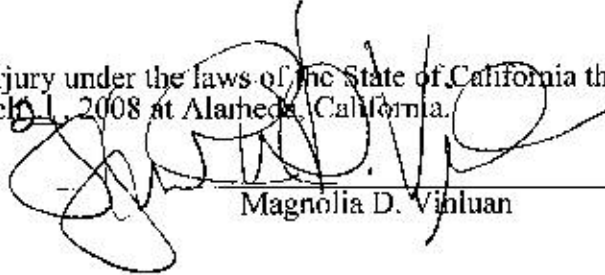
I am a citizen of the United States, employed in the County of Alameda, California, over the age of 18 years, and am not a party to the within-entitled action. My business address is 1301 Marina Village Parkway, Suite 310, Alameda, California 94501. On the date set forth below, I served the following document(s) by the method indicated below:

**STIPULATION TO CONTINUE CASE MANAGEMENT CONFERENCE;  
AND PROPOSED ORDER THEREON**

- ☐ Facsimile by transmitting via facsimile on this date from fax number (510) 337-2811 the document(s) listed above to the fax number(s) set forth below. The transmission was completed before 5:00 p.m. and was reported complete and without error. The transmission report, which is attached to this proof of service, was properly issued by the transmitting fax machine. Service by fax was made by agreement of the parties, confirmed in writing pursuant to California Code of Civil Procedure §1013(e). The transmitting fax machine complies with California Code of Civil Procedure §1013(e).
- ☒ First Class Mail by placing the document(s) listed above in a sealed envelope with postage thereon fully prepaid, in the United States mail at Alameda, California addressed as set forth below pursuant to California Code of Civil Procedure §1013(a). I am readily familiar with the business practice at Wiley Price & Radulovich, LLP for collection and processing of correspondence for mailing with the United States Postal Service. Correspondence so collected and processed is deposited with the United States Postal Service that same day in the ordinary course of business.
- ☐ Messenger by placing the document(s) listed above in a sealed envelope(s) and by causing personal delivery of the envelope(s) to the person(s) at the address(es) set forth below. A signed proof of service by the process server or delivery service will be filed shortly.
- ☐ Personal Delivery by personally hand delivering the document(s) listed above in a sealed envelope(s) to the person(s) at the address(es) set forth below pursuant to California Code of Civil Procedure §1011.
- ☐ Overnight Delivery by placing the document(s) listed above in a sealed envelope(s) and consigning it to an express service carrier for guaranteed delivery on the next business day following the date of consignment to the address(es) set forth below pursuant to California Code of Civil Procedure §1013(c). A copy of the consignment slip is attached to this proof of service.

M. Van Smith  
Law Office of M. Van Smith  
1696 Mendenhall Drive  
San Jose, California 95130  
Tel. No.: (408) 364-1062  
Fax No.: (408) 273-6496

I declare under penalty of perjury under the laws of the State of California that the above is true and correct. Executed on March 1, 2008 at Alameda, California.

  
Magnolia D. Vinluan